

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>ePLUS INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 3:09-CV-620 (REP)</b>
	)	
<b>v.</b>	)	
	)	
<b>LAWSON SOFTWARE, INC.,</b>	)	
	)	
	)	
	)	
<b>Defendant.</b>	)	

**PLAINTIFF ePLUS, INC.'S MOTION *IN LIMINE* TO PRECLUDE CUMULATIVE AND  
IRRELEVANT EVIDENCE OR TESTIMONY OF CHARLES GOUNARIS PURSUANT  
TO FEDERAL RULES OF EVIDENCE 402, 403, AND 611**

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Pursuant to Federal Rules of Evidence 402, 403, and 611, Plaintiff ePlus, Inc. (“ePlus”), by counsel, respectfully moves that the Court exclude the testimony of third party witness Charles Gounaris, on the ground that, to the extent his testimony has any relevance, his testimony will be cumulative of that already presented by third party witness Pamela Eng. Both Mr. Gounaris and Ms. Eng were employed by third party subcontractor IBM. The list of exhibits that Defendant proposes to use with Mr. Gounaris’ examination is nearly identical to that which it provided for the examination of Ms. Eng. ePlus is not aware of any relevant testimony Mr. Gounaris is likely to offer that was not already testified to by Ms. Eng, and therefore ePlus asks that the Court exclude this testimony. The grounds for this motion are more fully set forth in the accompanying brief in support.

Respectfully submitted,

January 17, 2011

/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of January, 2011, I will electronically file the foregoing

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with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

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